

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ILLINOIS POWER COMPANY )  
)  
)  
PETITION FOR AN ORDER (1) CONCERNING )  
CLASSIFICATION OF ILLINOIS POWER )  
COMPANY'S TRANSMISSION AND )  
DISTRIBUTION FACILITIES AND (2) FOR )  
CERTAIN DETERMINATIONS IN )  
CONNECTION WITH THE SALE OF ILLINOIS )  
POWER COMPANY'S TRANSMISSION )  
SYSTEM TO ILLINOIS ELECTRIC )  
TRANSMISSION COMPANY, LLC. )

Docket No. 02-0743

ILLINOIS  
COMMERCE COMMISSION  
2002 DEC 23 A 9:19  
CHIEF CLERK'S OFFICE

**PREPARED DIRECT TESTIMONY OF**  
**EARL STRUCK PRESIDENT AND CHIEF-EXECUTIVE OFFICER**  
**OF THE ASSOCIATION OF ILLINOIS ELECTRIC COOPERATIVES**  
**ON BEHALF OF CERTAIN ILLINOIS RURAL ELECTRIC**  
**COOPERATIVES AS INTERVENORS**

1 Q: Please state your name.

2 A: Earl Struck.

3 Q: What is the nature of your occupation or profession?

4 A: I am the President and Chief Executive Officer of the Association of Illinois  
5 Electric Cooperatives, commonly known as the AIEC.

6 Q: What is the AIEC?

7 A: The AIEC is a not-for-profit Association of Illinois Electric Cooperatives which  
8 was organized in 1942 for the purpose of providing a variety of services to  
9 member systems. The AIEC has its general offices at Springfield, Illinois. The  
10 Association's members consist of 25 not-for-profit electric distribution

1 cooperatives and two generation and transmission cooperatives, all operating in  
2 the State of Illinois, providing electric service to more than 600,000 Illinoisans  
3 located in 86 downstate Illinois Counties.

4 Q: When did you first become associated with the AIEC?

5 A: I was first employed by the AIEC in 1979 as a member of the Legal and Public  
6 Affairs Department which became the Legal and Government Relations  
7 Department in 1994. In 1983 I became Director of the Legal and Public Affairs  
8 Department which Department was and is the liaison between the Illinois  
9 electric cooperatives and local, state and federal governmental officials. One of  
10 the many services provided by the AIEC to its member cooperatives is to assist  
11 and represent such cooperatives in their relationship with the local, state and  
12 federal governments. In February 1994 I was appointed President and Chief  
13 Executive Officer for the AIEC. In that capacity I direct all activities of the  
14 Association which consists of professional and support personnel of the  
15 Association providing specialized utility services to the member cooperatives of  
16 the AIEC.

17 Q: What was your education, experience or training prior to joining the AIEC?

18 A: Prior to joining the AIEC, I served on the legislative staff of the Illinois Farm  
19 Bureau from Spring 1974, until joining the AIEC in 1979.

20 Q: What was your formal education and training?

21 A: I graduated from Eastern Illinois University in 1975, with a Board of Governors  
22 Bachelor's Degree in business.

1 Q: What other professional activities, associations or committees have you served  
2 on or currently serve on?

3 A: I have served on a variety of State and national electric cooperative committees  
4 and task forces including the National Rural Electric Cooperative Association's  
5 Task Force on Electric Power Marketing. I recently served on the Illinois Task  
6 Force on Political Representation and Alternative Systems. I am a former  
7 member of the Illinois Distance Learning Foundation; and the Citizens Advisory  
8 Council to the Illinois Board of Higher Education.

9 Q: As a part of your duties as President and Chief Executive Officer of the AIEC,  
10 are you responsible for supervising and maintaining the records of the AIEC?

11 A: Yes.

12 Q: What types of records does the AIEC maintain?

13 A: The AIEC maintains records of all its principal activities which it performs in  
14 support of the member electric cooperatives.

15 Q: What are the activities that the AIEC has undertaken in the past and currently  
16 undertakes with regard to providing services and support to the member electric  
17 cooperatives?

18 A: The AIEC provides, as noted earlier, support and assistance to member  
19 cooperatives in dealing with the local and state governments, the federal  
20 government and with legislative activities. In addition, the AIEC maintains an  
21 engineering department to assist member cooperatives with engineering matters  
22 and rate studies; a legal department to assist member cooperatives with legal

1 issues, and matters that arise common to all members; maintains safety training  
2 programs; maintains a department providing printing and publishing services to  
3 the member cooperatives; provides member information and public relations  
4 services; conducts continuing education services and courses and provides other  
5 miscellaneous services for the benefit of member cooperatives.

6 Q: What are your overall duties with regard to the various departments and  
7 activities of the AIEC?

8 A: As President and Chief Executive Officer of the AIEC, I am responsible for all  
9 of the services provided by the various departments of the AIEC. Department  
10 heads answer directly to me. The AIEC is governed by a Board of Directors  
11 elected by the member electric cooperatives, and that Board of Directors has a  
12 Chairman, Vice Chairman, Secretary and Treasurer. I report directly to the  
13 Board of Directors of the AIEC.

14 Q: Do you have knowledge as President and Chief Executive Officer that the AIEC  
15 organized an Illinois Cooperative Power Supply Committee?

16 A: Yes.

17 Q: What was the purpose of this Committee?

18 A: The purpose was to negotiate directly or to assist individual member  
19 cooperatives in negotiating and drafting service area agreements with other  
20 electric suppliers such as CIPS and Illinois Power.

21 Q: Did the Committee maintain records and memorandum of its activities in the  
22 regular course of the Committee business?

1 A: Yes. The AIEC has records of the Committees' activities.

2 Q: Are those records kept and maintained in the normal course of the business  
3 activities of the AIEC?

4 A: Yes.

5 Q: Who within the AIEC has the duty and responsibility for keeping the records of  
6 the Illinois Cooperative Supply Committee?

7           A:     The chief legal officer of the AIEC.

8 Q: Who currently is that officer?

9           A:     The General Counsel of the AIEC, Michael Hastings.

10 Q: Does this conclude your prepared direct testimony?

11                   A:    Yes.

12

13 Earl Struck

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### **PROOF OF SERVICE**

I, JERRY TICE, hereby certify that on the 20 day of December 2002, I deposited in the United States mail at the post office at Petersburg, Illinois, postage fully paid, a copy of the document attached hereto and incorporated herein, addressed to the following persons at the addresses set opposite their names:

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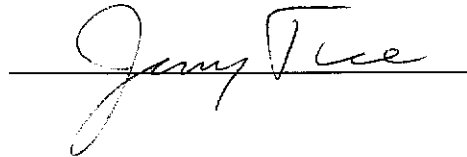
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A handwritten signature in cursive script, reading "Jerry Tice", is written over a horizontal line.

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